

**BEFORE THE COMMISSIONER OF COMMERCE AND INSURANCE
OF THE STATE OF TENNESSEE AT NASHVILLE**

TENNESSEE SECURITIES DIVISION,
Petitioner,

vs.

AMERICAN RETIREMENT ASSOCIATION, INC.,
NU-MILLENNIUM, LLC,
SUMMIT RIDGE MARKETING,
UNITED INSURANCE GROUP, INC.,
LARRY JONES, DENNIS WEAVER, LEE BAILEY,
MARVIN L. BROGLIN, DOLPHUS JORDAN, and
JOHN BELLES,
Respondents.

No.: 99-013

ORDER TO CEASE AND DESIST

This Order issues as a result of a Petition and its exhibits attached hereto filed by the Tennessee Securities Division of the Department of Commerce and Insurance and is predicated upon the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

American Retirement Association, Inc. (hereinafter "ARA") is a corporation doing business in the state of Tennessee. ARA's principal place of business is located at 219 North Parkway, Jackson, Tennessee. ARA is not registered as a broker-dealer with the Division;

2. Nu-Millennium, LLC (hereinafter "NML") is a business entity doing business in the State of Tennessee. NML's principal place of business is 202 Carriage House Dr., Suite B, Jackson, Tennessee 38305. NML is not registered with this Division as a broker-dealer;

3. United Insurance Group, Inc. (hereinafter "United") is a Tennessee corporation with

its principal place of business located at 1385 Flowering Dogwood, Suite D, Dyersburg, Tennessee 38024. United is not registered as a broker-dealer with the Division:

4. Summit Ridge Marketing (hereinafter "Summit") is a corporation doing business in the State of Tennessee. Summit's principal place of business is located at 666 North Main Street, Suite 202, Logan, Utah 84321. Summit is not registered as a broker-dealer with the Division;

5. Larry Jones (hereinafter "Jones") is an owner, director, officer and/or employee of ARA and NML. Jones is not registered as an agent with the Division. Jones currently resides at 25 Comanche Cove, Jackson, Tennessee 38305;

6. Dennis Weaver (hereinafter "Weaver") is employed by ARA. Weaver is not registered as an agent with the Division. His employment address is 219 North Parkway, Jackson, Tennessee. His current residence is unknown;

7. Lee Bailey (hereinafter "Bailey") is employed by ARA. Bailey is not registered as an agent with the Division. His employment address is 219 North Parkway, Jackson, Tennessee. His current residence is unknown;

8. Marvin L. Broglin (hereinafter "Broglin") is employed by United. Broglin is not registered as an agent with the Division. He currently resides at Route 1, Box 250, Tiptonville, Tennessee 38079;

9. Dolphus Jordan (hereinafter "Jordan") is employed by United. Jordan is not registered as an agent with the Division. He currently resides at 100 Maple Circle, Dyersburg, Tennessee 38024;

10. John Belles (hereinafter "Belles") is the owner and/or an employee of Summit. Belles is not registered as an agent with the Division. His employment address is 666 North Main Street, Suite 202, Logan, Utah 84321 His current residence is unknown;

11 The Respondents are engaged in the sale of promissory notes, which are not registered with the Securities Division, and do not qualify for any of the exemptions provided in the Tennessee Securities Act of 1980, as amended, Tenn. Code Ann. § 48-2-101, *et seq.*

12. The Respondents, American Retirement Association, Inc., Nu-Millennium, LLC, United Insurance Group, Inc., and Summit Ridge Marketing, are presently and will continue to act as broker-dealers without proper registration, and will continue to solicit customers. As a result of this activity the public will suffer immediate and irreparable injury, loss or damage;

 The Respondents, Larry Jones, Dennis Weaver, Lee Bailey, Marvin L. Broglin, Dolphus Jordan, and John Belles, are presently and will continue to act as agents of a broker-dealer without the proper registration, and will continue to solicit customers. As a result of this activity the public will suffer immediate and irreparable injury, loss or damage;

14. The Respondents are presently and will continue to be engaged in the sale of an unregistered security. As a result of this activity, the public will suffer immediate and irreparable injury, loss, or damage;

 This Order is in the public interest and necessary for the protection of investors, and consistent with the purposes fairly intended by the Act;

CONCLUSIONS OF LAW

1 Tennessee Code Annotated § 48-2-102(3) provides that a “broker-dealer” means any person engaged in the business of effecting transactions in securities for the account of others, or any person engaged in the business of buying or selling securities issued by one (1) or more other persons for such person’s own account and as part of a regular business rather than in connection with such person’s investment activities;

2. Tennessee Code Annotated § 48-2-102(2) provides that an “agent” means any individual, other than a broker-dealer, who represents a broker-dealer in effecting or attempting to effect purchases or sales of securities from, in or into this state;

3. Tennessee Code Annotated § 48-2-109(a) provides that it is unlawful for any person to transact business from or in this state as a broker-dealer or agent unless such person is registered as a broker-dealer or agent under this part;

4. Tennessee Code Annotated § 48-2-109(b) provides that it is unlawful for any broker-dealer to employ an agent to transact business as an agent unless the agent is registered under this part;

5. Tennessee Code Annotated § 48-1-104(1) provides it is unlawful for any person to sell any security in this state unless it is registered under this part, unless the security or transaction is exempted, or it is a covered security;

6. Based upon the Findings of Fact, the Respondents, American Retirement Association, Inc., Nu-Millennium, LLC, United Insurance Group, Inc., and Summit Ridge Marketing, have violated and are violating Tennessee Code Annotated § 48-2-109(a) and (b) by acting as unregistered broker-dealers and employing unregistered agents;

7. Based upon the Findings of Fact, the Respondents, Larry Jones, Dennis Weaver, Lee Bailey, Marvin L. Broglin, Dolphus Jordan, and John Belles, have violated and are violating Tennessee Code Annotated § 48-2-109(a) by acting as an unregistered agent of a broker-dealer;

8. Based upon the Findings of Fact, the Respondents have violated and are violating Tennessee Code Annotated § 48-2-104 by selling an unregistered security.

9. Tennessee Code Annotated § 48-2-116 provides that the Commissioner may make, promulgate, amend, and rescind such Orders as are necessary to carry out the provisions of the

Tennessee Securities Act of 1980, as amended, and that such Order is in the public interest, necessary for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of the Act;

10. Tennessee Code Annotated § 48-2-116(e)(2) states, in pertinent part, that no Order may be entered without prior notice to affected parties (unless the Commissioner determines that prior notice would not be in the public interest and would be detrimental to the protection of investors), an opportunity for a hearing before the Commissioner, and written Findings of Fact and Conclusions of Law;

1 Based upon the Findings of Fact, it would not be in the public interest and it would be detrimental to the protection of investors if prior notice of this Order were given to affected parties;

NOW, THEREFORE, in consideration of the foregoing, it is **ORDERED** that:

The Respondents, American Retirement Association, Inc., Nu-Millennium, LLC, United Insurance Group, Inc., Summit Ridge Marketing, Larry Jones, Dennis Weaver, Lee Bailey Marvin L. Broglin, Dolphus Jordan, and John Belles, shall comply with the provisions of the Tennessee Securities Act of 1980, as amended.

2. The Respondents, American Retirement Association, Inc., Nu-Millennium, LLC, United Insurance Group, Inc., and Summit Ridge Marketing, shall cease and desist in the further conduct as a broker-dealer from, in, or into the State of Tennessee until such time as it is effectively registered with the Division to engage in such activity.

3. The Respondents, Larry Jones, Dennis Weaver, Lee Bailey, Marvin L. Broglin, Dolphus Jordan, and John Belles, shall cease and desist in the further conduct as an agent of a

broker-dealer from, in, or into the State of Tennessee until such time each is effectively registered with the Division to engage in such activity.

4. The Respondents, Larry Jones, Dennis Weaver, Lee Bailey, Marvin L. Broglin, Dolphus Jordan, and John Belles, shall cease and desist in the future conduct of selling any unregistered security from, in, or into the State of Tennessee until such time as all securities sold are effectively registered with the Division.

5. All persons in any way assisting, aiding, or helping any of the aforementioned Respondents in any of the aforementioned violations of the Tennessee Securities Act of 1980, as amended, Tennessee Code Annotated §§ 48-2-101, *et seq.*, shall cease and desist from all such activities in violation of the Tennessee Securities Act of 1980, as amended.

This Order is not intended to prohibit any lawful conduct in which any of the Respondents might be engaged.

Entry of this Order shall not in any way restrict the Tennessee Securities Division or the Commissioner of Commerce and Insurance from taking further action with respect to these or other possible violations by Respondents of the Act or any of the Rules promulgated thereunder.

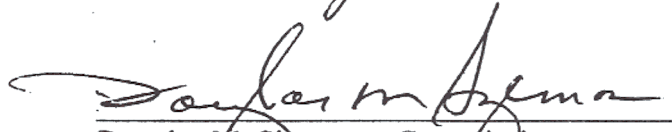
This Order shall become a Final Order thirty (30) days from the date of its entry, unless written notification requesting a hearing is made within that thirty (30) day period.

You are advised that you have the right to a hearing as to all matters raised in this Order. If you wish to exercise your right to a hearing, please notify:


**DAPHNE D. SMITH
ASSISTANT COMMISSIONER FOR SECURITIES
STATE OF TENNESSEE, DEPARTMENT OF COMMERCE AND INSURANCE
DAVY CROCKETT TOWER, SUITE 680
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243**


Such request must be received within thirty (30) days of the date of entry of this Order.

ENTERED this the 13th day of September, 1999.


Douglas M. Sizemore, Commissioner
Commerce and Insurance

APPROVED FOR ENTRY:


Daphne D. Smith
Assistant Commissioner for Securities
Department of Commerce and Insurance


John F. Morris (BPR# 019144)
Staff Attorney
Department of Commerce and Insurance
312 Eighth Avenue, North
Snodgrass Building, Twenty-Fifth Floor
Nashville, Tennessee 37243-0569
615 741 2199